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C O N F I D E N T I A L SECTION 01 OF 02 BAGHDAD 000320

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SUBJECT: IECI COMMISSIONER SAFWAT ARGUES FOR DELAYED
PROVINCIAL ELECTIONS, CLAIMS NO NEED FOR INTERNATIONAL
COMMISSIONER

Classified By: POLITICAL COUNSELOR ROBERT S. FORD, FOR REASONS 1.4 (B)
AND (D).

11. (C) SUMMARY: IECI Commissioner Safwat told poloffs
February 1 that provincial elections should be delayed until
at least midyear to give the IECI more time to prepare. He
added that the IECI would need changes and improvements, with
priorities including revamping the voter registry and
reforming the commission structure. Safwat said that given
the experience gained by the IECI over the past 15 months, a
UN-appointed international commissioner may no longer be
necessary. END SUMMARY.

ARGUING FOR DELAYED PROVINCIAL ELECTIONS

12. (C) Independent Electoral Commission of Iraq (IECI)
Commissioner Safwat Rasheed Sidqi told polOffs February 1
that provincial elections should be delayed until at least
midyear. He said that the IECI would need time to prepare
for the provincial vote, the commissioners are tired as a
result of the electoral pace in 2005, and that there was no
reason to rush forward to change current provincial councils.
Safwat noted that the proposed Provincial Election Law,
passed by the Transitional National Assembly (TNA) in 2005,
was never approved by the Presidency Council. He argued that
a new version of the law would need to address provincial
council authority and responsibilities and be consistent with
the new constitution. Safwat said that Shi'a politicians are
still pushing for early elections, but warned that elections
held too soon would likely result in sectarian violence as
coalitions fracture at the local level.

TIME TO OVERHAUL THE IECI

13. (C/REL UN) Safwat said that the IECI should consider
lessons learned from the three electoral events in 2005 and
review IECI structure and operations. He said that review
should include the make-up of the IECI Board of Directors --
currently eight Iraqi commissioners and one UN-appointed
international expert. He said that based on the experience
gained over the past 15 months, the commissioners could move
forward as a fully Iraqi board. However, he maintained that
the IECI would still require the support from the
International Electoral Assistance Team (IEAT). He said that
the December elections exposed weaknesses in the voter
registry that need to be addressed before any electoral event
is conducted in 2006. Safwat also indicated that IECI
computer systems need upgrading, that the Governorate
Electoral Office role in the provincial elections needs to be
better defined, and that procedures need to be reassessed.

STATUS OF APPEALS

14. (C) Safwat said that the Transitional Electoral Panel (TEP) has already decided on one appeal and was forging ahead with the other cases. (NOTE: Safwat did not indicate on which case the TEP had reached a decision. However, we heard from a UN source February 2 that the case involved a minor party which argued that it deserved a seat because of all the good it had done for Iraq. Of greater significance, the same source advised that the TEP began hearings on the UIC 555 appeal on February 1 and on the Allawi list appeal February 2; reportedly these hearings will continue on February 5 and 6 respectively.) Safwat was cautiously optimistic that the TEP would complete the hearing process in a timely manner and decide in favor of the IECI in all instances. Regarding the UIC 555 and Kurdish appeals on the Council of Representatives governorate seat allocation formula, Safwat reaffirmed his confidence that the formula described in the electoral regulations would be upheld by the TEP.

COMMENT

15. (C/REL UN) Safwat, a Kurd, is only one of eight Iraqi commissioners; several of his colleagues will likely be more responsive to reported Shia pressures as to the timing of provincial elections. We will seek their views as well. Regarding his suggestion that an international commissioner is no longer needed, we must ensure that the ultimate decision not compromise the effectiveness of the IECI. At a minimum, there will remain a need for the UN to continue to

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lead the election assistance effort and to have direct access to board members after International Commissioner Craig Jenness departs. (NOTE: Jenness has indicated that he plans to leave Iraq after the Commission wraps up its work related to the December 15 election.)
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